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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,037	01/31/2002	Kaihu Chen	28280.04006	3955

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EXAMINER

PILLAI, NAMITHA

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/066,037

Applicant(s)

CHEN ET AL.

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/1/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendments***

1. The Examiner acknowledges Applicant's submission on 7/29/05 including amendments to claims 9, 15 and 17 and the addition of new claims 18-20 to better specify the present invention. All pending claims have been rejected as being obvious over a prior art. The Information Disclosure Statement submitted on 9/1/05 has also been considered.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Publication No. 2002/0018078 A1 (Khan et al.), herein referred to as Khan.

Referring to claims 1 and 16, Khan discloses a method for defining a composite web page (page 1, paragraph 2). Khan discloses identifying a web page, wherein the user identifies a content source the content source identified as a web page (page 5, paragraph 73, lines 6-10). Khan discloses the user further selecting portions of this content source, wherein this selection process from the web page discloses an analyzing step by the user to determine a list of the associated elements that are the further selected portions of the content (page 5, paragraph 73, lines 12-14). Khan

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further discloses that once the user has determined further elements of the web page, these contents can be displayed in a menu format, wherein presenting the list of associated elements to the user, and allowing for marking or user selection of the elements from the list, wherein selection from a menu of these selected contents are disclosed (page 5, paragraph 73, lines 14-18). Khan also discloses registering the user selection, wherein the storage of these user selections is interpreted as registering of the user selection (page 6, paragraph 74, lines 1-4). Khan discloses user selection for determining the list of associated elements, wherein Khan does not clearly state analyzing the web page. It would have been obvious for one skilled in the art, at the time of the invention for Khan to disclose analyzing the web page to determine the list of associated elements. Khan clearly teaches the user determining and choosing the further list of associated elements from within the web page. Khan by teaching that the user has gone through an identification process of elements for determining, has disclosed the reliance of an analysis process, wherein order for the determining of the elements and an identification of the elements, an analysis process must occur by the user. Hence it would have been obvious for one skilled in the art, at the time of the invention for analyzing the web page to determining the associated list of elements.

Referring to claim 2, Khan discloses storing the user selection in a local registry (page 7, paragraph 99).

Referring to claim 3, Khan discloses transmitting the user selection to a remote server for storage (page 6, paragraph 82, lines 6-8).

Referring to claim 4, Khan discloses creating a specification, the specification including data defining how to fetch at least one web page associated with the selected elements and how to extract the selected elements (page 1, paragraphs 10 and 11).

Referring to claim 5, Khan discloses identifying a plurality of web pages and wherein the list includes elements associated with each of the plurality of web pages (page 5, paragraph 73).

Referring to claim 6, Khan discloses defining segments of the list according to each of the plurality of web pages (page 5, paragraph 73).

Referring to claim 7, Khan discloses presenting each of the segments of the list at separate times, wherein Khan discloses providing various different segments that are selected by the user over a configurable number of days in the past, wherein the display of this data over a certain degree of time represent data that is displayed at separate times, wherein presenting segments selected by the user at separate times (page 6, paragraph 85, lines 1-7).

Referring to claim 8, Khan discloses determining an identifier associated with the user and wherein registering includes storing the identifier (page 7, paragraph 97).

Referring to claim 9, Khan discloses a method for presenting a composite web page (page 1, paragraph 2). Khan discloses receiving a user request to present a composite web page (page 1, paragraphs 7-9). Khan discloses identifying a web page, wherein the user identifies a content source the content source identified as a web page (page 5, paragraph 73, lines 6-10). Khan discloses the user further selecting portions of this content source, wherein this selection process from the web page discloses an

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analyzing step by the user to determine a list of the associated elements that are the further selected portions of the content (page 5, paragraph 73, lines 12-14). Khan further discloses that once the user has determined further elements of the web page, these contents can be displayed in a menu format, wherein presenting the list of associated elements to the user, and allowing for marking or user selection of the elements from the list, wherein selection from a menu of these selected contents are disclosed (page 5, paragraph 73, lines 14-18). Khan discloses identifying at least one element of the composite web page, retrieving the at least one element and rendering the at least one element to form the composite web page (page 1, paragraphs 7-9). Khan discloses user selection for determining the list of associated elements, wherein Khan does not clearly state analyzing the web page. It would have been obvious for one skilled in the art, at the time of the invention for Khan to disclose analyzing the web page to determine the list of associated elements. Khan clearly teaches the user determining and choosing the further list of associated elements from within the web page. Khan by teaching that the user has gone through an identification process of elements for determining, has disclosed the reliance of an analysis process, wherein order for the determining of the elements and an identification of the elements, an analysis process must occur by the user. Hence it would have been obvious for one skilled in the art, at the time of the invention for analyzing the web page to determining the associated list of elements.

Referring to claim 10, Khan discloses accessing a registry (page 7, paragraph 99).

Referring to claim 11, Khan discloses determining an identifier associated with the user and accessing the registry based on the identifier (page 7, paragraph 97).

Referring to claim 12, Khan discloses retrieving a web page associated with an element and extracting the element from the associated web page (page 7, paragraph 90).

Referring to claim 13, Khan discloses accessing a registry, the registry including data defining the position of each element and wherein rendering includes displaying each element according to the data (page 7, paragraphs 92-94).

Referring to claim 14, Khan discloses a system for defining a composite web page (page 1, paragraph 2). Khan discloses a processor, a memory coupled to the processor storing processor executable instructions to control the operation of the processor (page 2, paragraphs 20 and 21). Khan discloses identifying a web page, wherein the user identifies a content source the content source identified as a web page (page 5, paragraph 73, lines 6-10). Khan discloses the user further selecting portions of this content source, wherein this selection process from the web page discloses an analyzing step by the user to determine a list of the associated elements that are the further selected portions of the content (page 5, paragraph 73, lines 12-14). Khan further discloses that once the user has determined further elements of the web page, these contents can be displayed in a menu format, wherein presenting the list of associated elements to the user, and allowing for marking or user selection of the elements from the list, wherein selection from a menu of these selected contents are disclosed (page 5, paragraph 73, lines 14-18). Khan also discloses registering the user

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selection, wherein the storage of these user selections is interpreted as registering of the user selection (page 6, paragraph 74, lines 1-4). Khan discloses user selection for determining the list of associated elements, wherein Khan does not clearly state analyzing the web page. It would have been obvious for one skilled in the art, at the time of the invention for Khan to disclose analyzing the web page to determine the list of associated elements. Khan clearly teaches the user determining and choosing the further list of associated elements from within the web page. Khan by teaching that the user has gone through an identification process of elements for determining, has disclosed the reliance of an analysis process, wherein order for the determining of the elements and an identification of the elements, an analysis process must occur by the user. Hence it would have been obvious for one skilled in the art, at the time of the invention for analyzing the web page to determining the associated list of elements.

Referring to claims 15 and 17, Khan discloses a system for presenting a composite web page (page 1, paragraph 2). Khan discloses a processor, a memory coupled to the processor storing processor executable instructions to control the operation of the processor (page 2, paragraphs 20 and 21). Khan discloses receiving a user request to present a composite web page, wherein the user identifies a content source the content source identified as a web page (page 5, paragraph 73, lines 6-10). Khan discloses the user further selecting portions of this content source, wherein this selection process from the web page discloses an analyzing step by the user to determine a list of the associated elements that are the further selected portions of the content (page 5, paragraph 73, lines 12-14). Khan further discloses that once the user



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has determined further elements of the web page, these contents can be displayed in a menu format, wherein presenting the list of associated elements to the user, and allowing for marking or user selection of the elements from the list, wherein selection from a menu of these selected contents are disclosed (page 5, paragraph 73, lines 14-18). Khan also discloses registering the user selection, wherein the storage of these user selections is interpreted as registering of the user selection (page 6, paragraph 74, lines 1-4). Khan discloses identifying at least one element of the composite web page, retrieving the at least one element and rendering the at least one element to form the composite web page (page 1, paragraphs 7-9). Khan discloses user selection for determining the list of associated elements, wherein Khan does not clearly state analyzing the web page. It would have been obvious for one skilled in the art, at the time of the invention for Khan to disclose analyzing the web page to determine the list of associated elements. Khan clearly teaches the user determining and choosing the further list of associated elements from within the web page. Khan by teaching that the user has gone through an identification process of elements for determining, has disclosed the reliance of an analysis process, wherein order for the determining of the elements and an identification of the elements, an analysis process must occur by the user. Hence it would have been obvious for one skilled in the art, at the time of the invention for analyzing the web page to determining the associated list of elements.

Referring to claims 18 and 20, Khan discloses analyzing the web page includes

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parsing HTML source code of the web page (page 7, paragraph 92), where Khan refers to the HTML code represented by the web page and traversing through the code for determining the elements that are chosen.

Referring to claim 19, Khan discloses presenting the list to the user includes providing a view of the relationships between the associated elements in the form of a tree structure (page 6, paragraphs 84 and 85), wherein Khan teaches providing a list with categorized information, showing a relationship between the elements, and further displaying a directory wherein a directory represents the tree structure form.

### ***Response to Arguments***

3. Applicant's arguments filed 7/29/05 have been fully considered but they are not persuasive.

With respect to Applicant's arguments that the prior art relies on a provisional application that has not been provided. Applicant is directed to the Public PAIR website, which allows the Applicant to directly access any provisional applications that are necessary.

With respect to Applicant's arguments that the prior art does not disclose a list of the elements for selection by the user. Khan has clearly stated that a menu is displayed for the user to select from for determining elements associated with the analyzing of the web page (page 5, paragraph 73).

With respect to Applicant's arguments that Khan does not disclose parsing the HTML code and presenting a tree structure list of associated elements. As is previously disclosed in the rejection, Khan discloses parsing the HTML code and presenting the

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directory, which represents the tree structure of associated elements that a user can choose. See page 6, paragraphs 84 and 85 and page 7, paragraph 92.

### ***Conclusion***

4. Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related correspondence to be: a) faxed to the Central Fax number (571-273-8300) (updated as of July 15, 2005), b) hand carried or delivered to the Customer Service Window (located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300. Faxes sent to the old number will be routed to the new number until September 15, 2005. After September 15, 2005, the old number will no longer be in service and 571-273-8300 will be the only facsimile number recognized for "centralized delivery." The official notice dated June 20, 2005 also includes an "updated list of exceptions to the centralized delivery and facsimile transmission policy for patent related correspondence." Questions regarding this notice may be e-mailed to Patentpractice@uspto.gov, or directed to the Inventors' Assistance Center by telephone at 800-786-9199, or 571-272-1000.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Namitha Pillai  
Assistant Examiner  
Art Unit 2173  
October 19, 2005



RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173